

# House File 2593 - Enrolled

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HOUSE FILE 2593

AN ACT

RELATING TO ACTIVITIES OF LOBBYISTS AND THE ETHICAL CONDUCT OF  
STATE OFFICIALS AND EMPLOYEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 68B.2B EXECUTIVE BRANCH  
COMPENSATION.

1. Effective July 1, 2006, an official or state employee shall not receive compensation simultaneously from more than one executive branch agency, unless the official or state employee provides notice to the board within twenty business days of accepting employment with a second executive branch agency. Notice under this section shall include all of the following:

a. The name and contact information of the official or state employee and the name of the official's or employee's original executive branch agency.

b. The name of the second executive branch agency from which compensation may be received.

c. The amount of compensation to be received and a brief explanation of what services are to be performed for the second executive branch agency.

2. The board shall adopt rules pursuant to chapter 17A necessary for the administration of this section.

3. This section shall not apply to service in the Iowa national guard or service in the general assembly.

Sec. 2. Section 68B.4, Code Supplement 2005, is amended to read as follows:

68B.4 SALES OR LEASES BY REGULATORY AGENCY OFFICIALS AND EMPLOYEES.

1. An official or employee of any regulatory agency shall not sell or lease, either directly or indirectly, any goods or services to individuals, associations, or corporations subject to the regulatory authority of the agency of which the person is an official or employee, except when the official or employee has met all of the following conditions:

~~1-~~ a. The consent of the regulatory agency for which the person is an official or employee is obtained and the person is not the official or employee with the authority to determine whether agency consent is to be given under this section.

~~2-~~ b. The duties or functions performed by the official or employee for the regulatory agency are not related to the regulatory authority of the agency over the individual, association, or corporation, or the selling or leasing of goods or services by the official or employee to the individuals, associations, or corporations does not affect the official's or employee's duties or functions at the regulatory agency.

~~3-~~ c. The selling or leasing of any goods or services by the official or employee to an individual, association, or corporation does not include advocacy on behalf of the individual, association, or corporation to the regulatory agency in which the person is an official or employee.

~~4-~~ d. The selling or leasing of any goods or services by the official or employee to an individual, association, or corporation does not cause the official or employee to sell or lease goods or services to the regulatory agency on behalf of the individual, association, or corporation.

2. The board shall adopt rules specifying the method by which employees may obtain agency consent under this section. The board shall adopt rules specifying the method by which officials may obtain agency consent under this section,

including situations when the person seeking to make the sale or lease is the executive or administrative head of the regulatory agency. A regulatory agency granting consent under

this section shall file a copy of the consent with the board within twenty days of the consent being granted.

Sec. 3. Section 68B.4B, Code Supplement 2005, is amended to read as follows:

3 4 68B.4B SALES OR LEASES BY MEMBERS OF THE OFFICE OF THE  
3 5 GOVERNOR.

3 6 A permanent full-time member of the office of the governor  
3 7 shall not sell or lease, either directly or indirectly, any  
3 8 goods or services to a registered lobbyist before the general  
3 9 assembly or the executive branch or to an individual,  
3 10 association, or corporation which employs a person who is a  
3 11 registered lobbyist before the general assembly or the  
3 12 executive branch, except when the member of the office of the  
3 13 governor has met all of the following conditions:

3 14 1. The consent of the person or persons responsible for  
3 15 hiring or approving the hiring of the member of the office of  
3 16 the governor is obtained. A copy of the consent shall be  
3 17 filed with the board within twenty days of the consent being  
3 18 granted.

3 19 2. The duties and functions performed by the member for  
3 20 the office of the governor are not related to the authority of  
3 21 the office of the governor over the individual, association,  
3 22 or corporation, or the selling or leasing of goods or services  
3 23 by the member of the office of the governor to the  
3 24 individuals, associations, or corporations does not affect the  
3 25 member's duties or functions at the office of the governor.

3 26 3. The selling or leasing of any goods or services by the  
3 27 member of the office of the governor to an individual,  
3 28 association, or corporation does not include lobbying of the  
3 29 office of the governor.

3 30 4. The selling or leasing of any goods or services by the  
3 31 member of the office of the governor does not cause the member  
3 32 to sell or lease goods or services to the office of the  
3 33 governor on behalf of the individual, association, or  
3 34 corporation.

3 35 Sec. 4. Section 68B.37, subsection 1, paragraph a, Code  
4 1 2005, is amended to read as follows:

4 2 a. The lobbyist's clients before the general assembly.

4 3 Sec. 5. Section 68B.37, subsection 1, paragraph d, Code  
4 4 2005, is amended to read as follows:

4 5 d. Expenditures made by the lobbyist for the purposes of  
4 6 providing the services enumerated under section 68B.2,  
4 7 subsection 13, paragraph "a", before the general assembly.

4 8 Sec. 6. Section 68B.37, subsection 2, Code 2005, is  
4 9 amended to read as follows:

4 10 2. A lobbyist before a state agency or the office of the  
4 11 governor shall file with the board, on forms prescribed by the  
4 12 board, a report disclosing ~~the same items described in~~  
4 13 ~~subsection 1. all of the following:~~

4 14 a. The lobbyist's clients before the executive branch.

4 15 b. Contributions made to candidates for state office by  
4 16 the lobbyist during calendar months during the reporting  
4 17 period when the general assembly is not in session.

4 18 c. The recipient of the campaign contributions.

4 19 d. Expenditures made by the lobbyist for the purposes of  
4 20 providing the services enumerated under section 68B.2,  
4 21 subsection 13, paragraph "a", before the executive branch.

4 22 For purposes of this subsection, "expenditures" does not  
4 23 include expenditures made by any organization for publishing a  
4 24 newsletter or other informational release for its members.

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4 28 CHRISTOPHER C. RANTS  
4 29 Speaker of the House  
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4 33 JEFFREY M. LAMBERTI  
4 34 President of the Senate  
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5 1 I hereby certify that this bill originated in the House and  
5 2 is known as House File 2593, Eighty-first General Assembly.

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5 6 MARGARET THOMSON  
5 7 Chief Clerk of the House

5 8 Approved \_\_\_\_\_, 2006

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5 12 THOMAS J. VILSACK  
5 13 Governor